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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 3:20-mj-71432 MAG
)	
Plaintiff,)	DETENTION ORDER
)	
v.)	
)	
NEGIE TONY FALLIS,)	
)	
Defendant.)	

On October 2, 2020, defendant Negie Tony Fallis was charged by Complaint with Felon in Possession of two Firearms and Ammunition, in violation of 18 U.S.C. § 922(g).

This matter came before the Court on October 16, 2020, for a detention hearing before Judge Kandis A. Westmore. The defendant was present via Zoom and represented by Mr. William Welch. Assistant United States Attorney Maya Karwande appeared for the government. The government moved for detention and submitted a memorandum in support, and the defendant opposed. At the hearing, counsel submitted proffers and arguments regarding detention.

Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on the record, the Court finds by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. Accordingly, the

1 defendant must be detained pending trial in this matter.

2 The present order supplements the Court's findings and order at the detention hearing and serves
3 as written findings of fact and a statement of reasons as required by Title 18, United States Code,
4 Section 3142(i)(1). As noted on the record, the Court makes the following findings as the bases for its
5 conclusion: (1) the defendant has a prior 2018 conviction for illegal possession of firearms which also
6 involved two firearms, including an AR-15 with a bullet button; (2) at the time of the charged offense
7 defendant was on PRCS and under the supervision of a probation officer for that prior conviction; (3)
8 the defendant has had numerous violations of his PRCS conditions; and (4) the charged offense alleges
9 that the defendant possessed two loaded firearms on June 4, 2020, including one that was converted to
10 an assault rifle. Given the defendant's history of firearm offenses and poor compliance while under
11 supervision, the Court finds that there are no conditions of release that would reasonably assure the
12 safety of the community. This finding is made without prejudice to the defendant's right to seek review
13 of defendant's detention, or file a motion for reconsideration if circumstances warrant it.

14 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

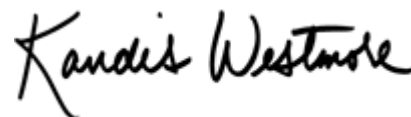
15 1. The defendant be, and hereby is, committed to the custody of the Attorney General for
16 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving
17 sentences or being held in custody pending appeal;

18 2. The defendant be afforded reasonable opportunity for private consultation with counsel;
19 and

20 3. On order of a court of the United States or on request of an attorney for the government,
21 the person in charge of the corrections facility in which the defendant is confined shall deliver the
22 defendant to an authorized United States Marshal for the purpose of any appearance in connection with a
23 court proceeding.

24 IT IS SO ORDERED.

25
26 DATED: October 16, 2020



HONORABLE KANDIS A. WESTMORE
United States Magistrate Judge